

## **BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension or	)	
	)	ORDER OF
Revocation of the Educator Certificate of	)	
	)	REVOCATION
Jeffery McMillan	)	
	)	
Certificate 215911	)	

### **SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on December 13, 2006. On October 25, 2006, the South Carolina Department of Education (Department) sent Jeffrey McMillan notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 215911. Mr. McMillan received the notice as evidenced by a postal receipt bearing his signature. Mr. McMillan did not request a hearing within the time frame specified in the notice letter. After considering the information presented, the State Board voted to order the revocation of Mr. McMillan's certificate.

### **FINDINGS OF FACT**

Mr. McMillan holds an initial educator certificate that expired in 2006 and was extended through 2007. During the 2006-07 school year, Mr. McMillan was employed with Orangeburg County School District Five (District), assigned to Robert E. Howard Middle School. The District accepted Mr. McMillan's resignation on August 28, 2006, following allegations that he lost his composure, slammed his fist on the desk, and made inappropriate statements in the presence of students, one of which had a racial connotation. Mr. McMillan displayed similar behavior while employed in the District during the 2005-06 school year, resulting in the District taking disciplinary and corrective action.

On May 9, 2006, the State Board issued Mr. McMillan a Public Reprimand, based on his conduct in November 2004 while serving as a substitute teacher in Lexington County School District Two. Mr. McMillan lost his composure and threw his identification badge in a meeting with administrators, and then sent an email to various employees that included inflammatory and profane language.

### **CONCLUSIONS OF LAW**

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person. " S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the information presented supports its determination that just cause exists to revoke Mr. McMillan's certificate. Mr. McMillan will not be eligible to reapply for certification in the future until on or after December 12, 2009. Should Mr. McMillan wish to reapply for certification at that time, he must meet all current certification requirements.

South Carolina State Board of Education

By: \_\_\_\_\_

Joe Isaac, Chair

Columbia, South Carolina  
December 13, 2006